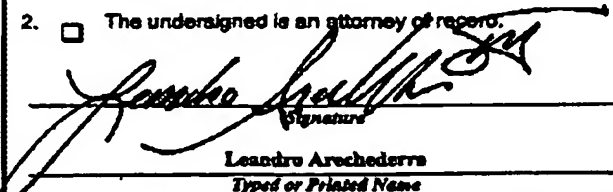


<b>Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent</b>			<b>Docket No.</b> 1997B029/5
In Re Application Of: McElrath et al.			
Serial No. 10/040,778	Filing Date January 02, 2002	Examiner Fischer	Group Art Unit 1733
Invention: Composition for Tire Sidewalls and Other Rubber Construction			
Owner of Record: ExxonMobil Chemical Patents Inc.			
<b><u>TO THE COMMISSIONER FOR PATENTS:</u></b>			
<p>The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,374,889. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input checked="" type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input type="checkbox"/> The undersigned is an attorney of record.</p> <div style="margin-top: 20px;">  <div style="position: absolute; left: 480px; top: 670px;">Dated: 03 March 2004</div> <div style="position: absolute; left: 210px; top: 705px;"> <b>Leandro Arechederra</b>  <i>Typed or Printed Name</i> </div> </div> <p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 C.F.R. 1.20(d) included.  <input checked="" type="checkbox"/> PTO suggested wording for terminal disclaimer was unchanged.  <input checked="" type="checkbox"/> Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.</p>			

### STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: McElrath et al.

Application No./Patent No.: 10/040,778

Filed/Issue Date: January 02, 2002

Entitled: Composition for Tire Sidewalls and Other Rubber Construction

ExxonMobil Chemical Patents Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
 The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %  
 in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Inventors To: Exxon Chemical Patents Inc.  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel 9212, Frame 0811, or for which a copy thereof is attached.
2. From: Exxon Chemical Patents Inc. To: ExxonMobil Chemical Patents Inc.  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel 812549, Frame 0832, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.05)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

03 March 2004

Date

281-834-2173

Telephone number

Leandro Arechederra

Typed or printed name

Signature

Assistant Secretary

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.